

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 6, 2020
PER CURIAM ORDERS

CR-12-175. Kurion K. Hughes, Jr. v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Appellant's pro se motion pursuant to Rule 19 to compel counsel to provide the appellant a copy of the trial court and appellate records is denied.

CR-19-650. Damian Durflinger v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion for copies of written material pertaining to appeal is denied.

CR-19-960. Troy Craig Sandidge, Jr. v. State of Arkansas, from Yell County Circuit Court, Northern District. Motion of Robert N. Jeffrey for attorney's fees is granted. Allowed \$1600.00. Barrett, J., not participating.

CR-20-179. Stephane Ferry v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion requesting disqualification of judge is treated as a motion to recuse and passed to Judge Stephanie Barrett. See *Thomas v. State*, 2019 Ark. 237; *Robinson Nursing and Rehabilitation Center, LLC v. Phillips*, 2016 Ark. 388. Murphy, J., not participating.

CR-20-189. Roderick Watkins v. State of Arkansas, from Cleburne County Circuit Court. Motion of Matthew P. McKay for attorney's fees is granted. Allowed \$1800.00.

CR-20-424. Vasquez Dominique Hayes v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to settle the record is granted. Barrett, J., not participating.

CR-20-424. Vasquez Dominique Hayes v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to stay the briefing schedule is granted. Barrett, J., not participating.

CR-20-604. Eddie Dale King v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for extension of time to file record on appeal is moot.

CR-20-645. Alvin Aikens v. State of Arkansas, from Pulaski County Circuit Court, First Division. Motion of Craig Lambert for entry of appearance is granted.

CR-20-670. Michael Scott Forrest v. State of Arkansas, from Ashley County Circuit Court. Appellant's motion to relieve appellate counsel and dismiss appeal is granted.

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CV-20-201. Courtney Young v. Shelter Mutual Insurance Company, from Phillips County Circuit Court. Appellant's motion to strike appellee's supplemental addendum and arguments pertaining to the supplemental addendum is granted. Appellee's motion to file a certified supplemental record, supplemental addendum, and substituted brief is granted.

CV-20-610. Petit Jean Electric Cooperative Corporation; Entergy Arkansas, LLC; Arkansas Electric Cooperative Corporation; and Scenic Hill Solar, LLC v. Arkansas Public Service Commission; Arkansas Advanced Energy Association, Inc.; Arkansas Electric Energy Consumers, Inc.; and National Audubon Society, Inc., from the Arkansas Public Service Commission. Separate appellant Arkansas Electric Cooperative Corporation's objection, motion to strike entry of appearance, and motion for clarification is denied. Abramson, Gruber, Vaught, and Hixson, JJ., not participating.

CV-20-657. DJS Development, LLC v. Hope Bawcom (a/k/a Hope Josephine Warden), Debra Brawley, Freeman Davis, Stephanie Lou Davis, and Any Interested Parties, from Sharp County Circuit Court. Appellant's motion to permit supplementation of record and to consolidate appeals is granted. Harrison, C.J., and Gladwin, J., would deny the consolidation of appeals. Abramson, J., not participating.

CV-20-657. DJS Development, LLC v. Hope Bawcom (a/k/a Hope Josephine Warden), Debra Brawley, Freeman Davis, Stephanie Lou Davis, and Any Interested Parties, from Sharp County Circuit Court. Appellant's motion for extension of time to file brief in chief is granted. Abramson, J., not participating.

CV-20-695. Elizabeth Garner a/k/a Elizabeth Darnell v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Appellant's petition to proceed in forma pauperis. Provisional indigency status is denied. Clerk is directed to bifurcate the appeal of the denial of indigency from the appeal of the termination of parental rights in court of appeals case no. CV-20-695. Writ of certiorari issued to the court reporter for transcription of the November 2, 2020, hearing on indigency. Writ is due in twenty days (January 26, 2021). Appellant's brief is due thirty days after the writ is returned and the supplemental record is lodged.

CV-20-695. Elizabeth Garner a/k/a Elizabeth Darnell v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to stay pending ruling on indigency is granted. Appeal of the termination of parental rights is stayed until the mandate issues in the indigency appeal.

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CV-20-714. Alexius Macklin v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eleventh Division. Appellant's motion and incorporated brief in support of ex parte request of a circuit court order pending appeal and request to proceed without supersedeas bond. The temporary stay is continued. Gruber, J., not participating.

E-20-330. Yeletta Gomillion v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

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PETITIONS FOR REHEARING:

CR-20-11. Forrest R. Stewart v. State of Arkansas, from Miller County Circuit Court.

CR-20-55. Scottie Wayne Flippo v. State of Arkansas, from Boone County Circuit Court.

CR-20-193. Durell Barnum v. State of Arkansas, from Faulkner County Circuit Court.

CR-20-241. Clyde E. Wallace v. State of Arkansas, from Garland County Circuit Court.

CV-19-554. Lula Valentine, Individually and as Personal Representative of the Estate of Isdee Valentine, Deceased; and on Behalf of the Wrongful Death Beneficiaries of Isdee Valentine v. White County Medical Center, from White County Circuit Court.

CV-19-647. Edward Lee Hardin v. Shelia Hardin, from Jefferson County Circuit Court.

CV-19-798. John Franklin Trickett v. John Spann and Sally Spann, from Franklin County Circuit Court, Southern District.

CV-19-895. Nancy Jan Neidhardt v. Lewis Taylor Neidhardt, from Cleburne County Circuit Court.

CV-20-10. Crystal Holiman v. William Brent Holiman and Office of Child Support Enforcement, from Grant County Circuit Court.

CV-20-59. Innisfree Health and Rehab, LLC; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc., d/b/a Professional Nursing and Rehabilitation Services; Innisfree Estates, LLC; and Michael S. Morton v. Kenny Jordan, as Special Administrator of the Estate of Kenneth Harold Jordan, Deceased; and on Behalf of the Wrongful Death Beneficiaries of Kenneth Harold Jordan, from Benton County Circuit Court.

CV-20-174. Brince Plymale v. Jeremy Alan Rogers and Brandie Nichole Rogers, from Logan County Circuit Court, Southern District.

CR-19-579. Alyssia Kirby-Snow v. State of Arkansas, from Baxter County Circuit Court. Motion of Charles D. Hancock for attorney's fees.

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CR-19-648. Ronterrio Mayo v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney fees.

CR-19-815. Phillip Horne, Jr. v. State of Arkansas, from Logan County Circuit Court, Northern District. Motion of Robert N. Jeffrey for attorney's fees.

CR-19-885. Joshua Chapelle Joyce v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney fee.

CR-20-2. Granville Murphy v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of Robert M. "Robby" Golden for award of attorney's fees and costs.

CR-20-125. David King v. State of Arkansas, from Van Buren County Circuit Court. Motion of Erin W. Lewis for attorney's fees.

CR-20-190. Martin Diaz v. State of Arkansas, from Benton County Circuit Court. Appellee's motion to dismiss.

CR-20-349. Chadwick Staggs v. State of Arkansas, from Pope County Circuit Court. Appellant's motion to extend deadline to file supplemental record.

CR-20-570. Tiffany Harris v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion to file belated brief.

CR-20-608. Robert Krachey v. State of Arkansas, from Franklin County Circuit Court, Northern District. Joint motion to substitute counsel of record.

CR-20-650. Brittanie Renee Lee v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for filing belated brief.

CR-20-650. Brittanie Renee Lee v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for extension of time to file brief.

CR-20-654. Mary Choate v. State of Arkansas and J.J., from Miller County Circuit Court. Appellant's motion to consolidate and motion for extension of time.

CR-20-655. Mary Choate v. State of Arkansas and T.J., from Miller County Circuit Court. Appellant's motion to consolidate and motion for extension of time.

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CR-20-672. Russell Holliday v. State of Arkansas, from Cleburne County Circuit Court. Appellant's pro se motion for appointment of counsel.

CR-20-691. Brandon Fannin v. State of Arkansas, from Pope County Circuit Court. Joint motion to substitute counsel of record.

CR-20-703. Roderick Shoulders v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's pro se motion for extension of time to file a brief.

CR-20-712. Rodney Goshien, Jr. v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion for appointment of counsel and extension of time to file brief.

CR-20-729. Frankie Paul DeJohn v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for rule on clerk.

CR-20-740. Sharvelt Mister v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for leave to file belated appeal.

CV-18-620. Joseph Lucas, an Individual; Glen Lucas, an Individual; Robert Lucas, an Individual; Barbara Johnson, an Individual; Thomas Lucas, an Individual; and David Abbott, an Individual v. Washington County; Pamela Vitko, as Personal Representative and on Behalf of the Laura Lee Broderick Estate; Cecily Lennard Lucas, as Personal Representative and on Behalf of the John P. Lucas Estate; and Victoria Gilbertie, from Washington County Circuit Court. Appellees' motion for extension of time to file request for rehearing and brief and petition for review.

CV-18-620. Joseph Lucas, an Individual; Glen Lucas, an Individual; Robert Lucas, an Individual; Barbara Johnson, an Individual; Thomas Lucas, an Individual; and David Abbott, an Individual v. Washington County; Pamela Vitko, as Personal Representative and on Behalf of the Laura Lee Broderick Estate; Cecily Lennard Lucas, as Personal Representative and on Behalf of the John P. Lucas Estate; and Victoria Gilbertie, from Washington County Circuit Court. Appellee's amended motion for extension of time to file request for rehearing and brief and petition for review.

CV-19-704. Charles Morgan v. Arkansas Department of Human Services and Minor Children, from Polk County Circuit Court. Appellant's motion for extension of time to supplement addendum.

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CV-19-807. Mitchell “Mitch” Wine v. Doralee Chandler and Leslie Rutledge, in Their Capacities as Director of Alcoholic Beverage Control Division of the Arkansas Department of Finance and Administration and Attorney General of Arkansas, Respectively; and Public Consulting Group, Inc., from Pulaski County Circuit Court, Ninth Division. Motion of separate appellee Public Consulting Group, Inc., for reconsideration.

CV-19-807. Mitchell “Mitch” Wine v. Doralee Chandler and Leslie Rutledge, in Their Capacities as Director of Alcoholic Beverage Control Division of the Arkansas Department of Finance and Administration and Attorney General of Arkansas, Respectively; and Public Consulting Group, Inc., from Pulaski County Circuit Court, Ninth Division. Amended and substituted motion of separate appellee Public Consulting Group, Inc., for reconsideration.

CV-20-166. Haley Lewis v. Arkansas Department of Human Services, Division of Medical Services Office of Long Term Care, from Bradley County Circuit Court. Appellant’s motion for extension of time to submit substituted brief.

CV-20-166. Haley Lewis v. Arkansas Department of Human Services, Division of Medical Services Office of Long Term Care, from Bradley County Circuit Court. Appellant’s second motion for extension of time to submit substituted brief.

CV-20-417. Kristina Bonds (now Emmons) v. Clay Bonds, from Pope County Circuit Court. Motion of James Dunham to withdraw as attorney.

CV-20-610. Petit Jean Electric Cooperative Corporation; Entergy Arkansas, LLC; Arkansas Electric Cooperative Corporation; and Scenic Hill Solar, LLC v. Arkansas Public Service Commission; Arkansas Advanced Energy Association, Inc.; Arkansas Electric Energy Consumers, Inc.; and National Audubon Society, Inc., from Arkansas Public Service Commission. Arkansas Electric Cooperative Corporation’s objection, motion to strike entry of appearance of Arkansas Advanced Energy Association, and motion for clarification.

CV-20-610. Petit Jean Electric Cooperative Corporation; Entergy Arkansas, LLC; Arkansas Electric Cooperative Corporation; and Scenic Hill Solar, LLC v. Arkansas Public Service Commission; Arkansas Advanced Energy Association, Inc.; Arkansas Electric Energy Consumers, Inc.; and National Audubon Society, Inc., from the Arkansas Public Service Commission. Motion of Randall L. Bynum to withdraw as counsel for separate appellant Scenic Hill Solar, LLC.

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CV-20-629. (In the Matter of B.P. and E.P., Minors) Scarlett Tapp and Timothy Perry v. Jamie Luper and Brian Luper, from Washington County Circuit Court. Appellants' motion to amend record.

CV-20-638. Kacie Scott v. Arkansas Department of Human Services and Minor Children, from Saline County Circuit Court. Motion of separate appellees Minor Children to substitute brief.

CV-20-656. Whit Barton, as Special Administrator; Troy Brown; Cherryale Burge; and Dwaine Riley v. Theophilus C. King, Individually and in His Capacity as the Trustee of the Lois Barnes Perkins Revocable Trust, from Ashley County Circuit Court. Motion of Vicki Gilliam to withdraw.

CV-20-659. Crain Family Holdings, LLC; and Auto Dealership Partners, LLC v. Ford Motor Company and Arkansas Motor Vehicle Commission, from Saline County Circuit Court. Appellants' motion to substitute records and motion to stay briefing.

CV-20-659. Crain Family Holdings, LLC; and Auto Dealership Partners, LLC v. Ford Motor Company and Arkansas Motor Vehicle Commission, from Saline County Circuit Court. Appellants' notice of withdrawal of motion to substitute records and motion to stay briefing.

CV-20-677. (In the Matter of the Adoption of A.P., a Minor) Dillon Arnold v. Nicklaus Przytarski and Courtney Przytarski, from Garland County Circuit Court. Appellant's petition for certiorari to complete record.

CV-20-686. Irvin Esparza v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eleventh Division. Motion of Dusti Standridge to be relieved as counsel.

CV-20-688. John Patrick Cullen v. Allstate Insurance Company; Kathy Jo Brinkley; and Katie Knight, from Garland County Circuit Court. Appellant's pro se motion for transcript and payment of costs.

CV-20-696. Pennsylvania Lumbers Mutual Insurance Company v. Westrock CP, LLC; and Philadelphia Indemnity Insurance Company, from Drew County Circuit Court. Appellant's motion for extension of time to file appeal brief.

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E-20-353. Andra Nosari v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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CASES SUBMITTED

CR-19-370. Lentonio Marcell Jenner v. State of Arkansas, from Washington County Circuit Court.

CR-20-170. Josh M. Barrett v. State of Arkansas, from Pike County Circuit Court.

CR-20-179. Stephane Ferry v. State of Arkansas, from Faulkner County Circuit Court.

CR-20-256. Robin Miller Richard v. State of Arkansas, from Lonoke County Circuit Court.

CR-20-277. Carmen Tyler v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-20-287. Antonio Bailey v. State of Arkansas, from Jefferson County Circuit Court.

CR-20-295. Jeffery Allen v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CR-20-309. Harry Laird v. State of Arkansas, from Montgomery County Circuit Court.

CV-19-486. Steve Wilson and Susan Wilson v. Voy Gillentine, Jr., and Stephanie Gillentine, from Craighead County Circuit Court, Western District.

CV-19-788. Arthur Joyce v. Northeast Arkansas Community Mental Health Center, Inc., d/b/a Mid-South Health Systems, Inc.; Alliance of Nonprofits for Insurance, Risk Retention Group; John Doe I, John Doe II, and John Doe III; and Steven D. Billups, from Crittenden County Circuit Court.

CV-20-235. Jessica Chandler v. Shae Chandler, from Pulaski County Circuit Court, Seventeenth Division.

CV-20-303. (In the Matter of the Adoption of K.A.B., a Female Minor) Felix E. Bryan and Elizabeth H. Bryan, his Wife v. David Chad Findley and Victoria Mae Bryan, from Pope County Circuit Court.

The following cases are appeals from the Arkansas Board of Review.

E-20-153. Denise Palmer v. Director et al.

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- E-20-154. John Payne v. Director et al.
- E-20-155. Angela Alexander v. Director et al.
- E-20-156. Kametric Burley v. Director et al.
- E-20-157. Frederick Williams v. Director et al.
- E-20-158. Corry Branson v. Director et al.
- E-20-159. Brandon Pugh v. Director et al.
- E-20-160. Jannetta Brown v. Director et al.
- E-20-161. Jannetta Brown v. Director et al.
- E-20-162. Loretta Brown v. Director et al.
- E-20-163. Mona McCoy v. Director et al.
- E-20-164. Melanie Steele v. Director et al.
- E-20-165. David Bloch v. Director et al.
- E-20-166. Martha McDonald v. Director et al.
- E-20-167. Jamaal Starks v. Director et al.
- E-20-168. Justin Myers v. Director et al.
- E-20-169. Laurice Herrera v. Director et al.
- E-20-170. Angela Williams v. Director et al.